

Regular Session, 2009

SENATE BILL NO. 242

BY SENATOR MOUNT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH CARE. Provides for the ability for an individual to enroll in their employer sponsored insurance at the point they are determined to be eligible for LaHIPP. (8/15/09)

AN ACT

To enact R.S. 22:1062.1, relative to health insurance; to provide for an enrollment period for individuals in an employer sponsored insurance program when certain conditions are satisfied; to provide for rule making; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1062.1 is hereby enacted to read as follows:

§1062.1. Special enrollment period

A. Every group health plan issued by a health insurer or a health maintenance organization shall provide for a special enrollment period for employees or dependents if either of the following apply:

(1) The employee or dependent loses eligibility for Medicaid or coverage under the Louisiana Children's Health Insurance Program and the employee requests, not later than sixty days after the date of termination of such coverage, coverage under a group health plan for which the employee or dependent is eligible.

(2) The employee or dependent becomes eligible to participate in a premium assistance program under Medicaid or the Louisiana Children's

Health Insurance Program and the employee requests, not later than sixty days after the date of determination of eligibility, coverage under a group health plan for which the employee or dependent is eligible. In the event of such eligibility, the Department of Health and Hospitals shall ensure that each eligible enrollee, or, in the case of an enrollee in the Louisiana Children's Health Insurance Program, the child's parent or guardian, receives information regarding the special enrollment period. The department shall provide consistent communication and facilitation for everyone eligible to enroll in a group health plan during the special enrollment period.

B. The Department of Insurance may promulgate rules and regulations, pursuant to the Administrative Procedure Act, as necessary to assure compliance with the provisions of this Section and Section 311 of the Children's Health Insurance Program Reauthorization Act of 2009.

Section 2. This Act shall become effective on August 15, 2009; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on August 15, 2009, or on the day following such approval by the legislature, whichever is later.

The original instrument was prepared by Greg Waddell. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cheryl Horne.

DIGEST

Mount (SB 242)

Proposed law provides that every group health plan issued by a health insurer or a health maintenance organization shall provide for a special enrollment period for employees or dependents if either of the following apply:

1. The employee or dependent loses eligibility for Medicaid or coverage under the Louisiana Children's Health Insurance Program and the employee requests, not later than 60 days after the date of termination of such coverage, coverage under a group health plan for which the employee or dependent is eligible.
2. The employee or dependent becomes eligible to participate in a premium assistance program under Medicaid or the Louisiana Children's Health Insurance Program and the employee requests, not later than 60 days after the date of termination of eligibility, coverage under a group health plan for which the employee or dependent is eligible. Requires the Department of Health and Hospitals to ensure that each eligible enrollee receives information regarding the special enrollment period.

Proposed law provides that DOI may promulgate rules and regulations, pursuant to the APA, as necessary to assure compliance with the provisions of proposed law and Section 311 of the Children's Health Insurance Program Reauthorization Act of 2009.

Effective August 15, 2009.

(Adds R.S. 22:1062.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance on the original bill.

1. Provides special enrollment period for employees or dependents if either of the following apply:
 - (a) The employee or dependent loses eligibility for Medicaid or coverage under the Louisiana Children's Health Insurance Program and the employee requests, not later than 60 days after the date of termination of such coverage, coverage under a group health plan for which the employee or dependent is eligible.
 - (b) The employee or dependent becomes eligible to participate in a premium assistance program under Medicaid or the Louisiana Children's Health Insurance Program and the employee requests, not later than 60 days after the date of termination of eligibility, coverage under a group health plan for which the employee or dependent is eligible. Requires the Department of Health and Hospitals to ensure that each eligible enrollee receives information regarding the special enrollment period.